

Queer & Trans Youth in California Foster Care

Have

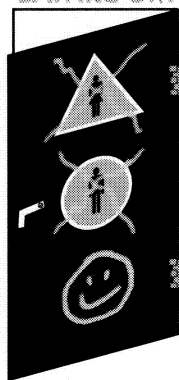
Rights!

The Foster Care Nondiscrimination Act, A.B. 458, effective January 1, 2004,

makes it illegal to harass or discriminate against youth and adults in the California foster care system because they are lesbian, gay, bisexual, transgender, or because someone thinks that they are. The law also protects those involved in the California foster care system from being harassed or discriminated against because of their race, ethnic group identification, ancestry, national origin, color, religion, sex, mental or physical disability, or HIV status.

- ☒ If your foster parents will not accept your gender identity or sexual orientation and you feel **unsafe**, you have the **right to be moved** to another placement.
- ☒ You have the right to get the same services, care, placement, treatment, and benefits as all foster youth. **You can't be treated differently** because of your sexual orientation, gender identity, race, sex, physical or mental disability, or because you are HIV+.

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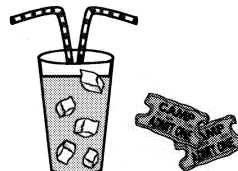
- ☒ You have the right to live in a **safe, comfortable home** where you are treated with **R-E-S-P-E-C-T**.



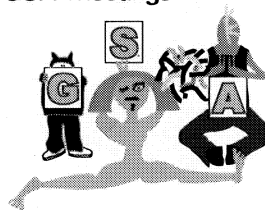
- ☒ You have the right to use a **safe bathroom** where you are not harassed. You can't be forced to use a bathroom that doesn't feel right for you.

- ☒ No one can **harass you, tease you, or hurt you** because of your sexual orientation, gender identity, race, sex, physical or mental disability, or because you are HIV+.

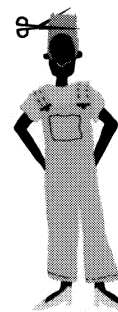
- ☒ If you are being **harassed or threatened** by other youth, the group home administrator or social worker must do something to stop it.
- ☒ No one can **physically, sexually, or emotionally abuse** you.
- ☒ If other youth in your placement can **date**, you can, too.



- ☒ You have the right to have **friends and mentors** outside of the foster care system, including LGBT youth and adults.
- ☒ You have the right to go to activities for LGBT youth like a **gay prom**, LGBT youth groups, and **GSA meetings**.



- ☒ No one can **look through your things** unless they have a good and legal reason.
- ☒ You have the right to **participate in religious activities**, and you have the right to choose your religion and how you practice it. You also have the right *not* to participate in religious activities if you don't want to.



- ☒ You have the right to **cut and style your hair and wear clothes** that make sense for your gender expression.
- ☒ You have the right to use the **name and pronoun** that makes you feel comfortable, and foster care providers have to respect your choice.
- ☒ You have the right to **safe medical care** that is right for you.
- ☒ You have the right to call the **State Ombudsperson** (1-877-846-1602) or the Community Care Licensing Division in your region if your rights have been violated. You have the right to confidentiality about what you say, and to be protected from retaliation for reporting the violation of **your rights**.

For a complete list of foster care rights, call 1-877-846-1602 or visit: www.fosteryouthhelp.ca.gov.

You have

Other Rights too!

- ☒ You have the right to contact your family members and visit your sisters and brothers, unless a judge says you can't. You also have the right to meet with your social worker, lawyer, CASA, probation officer, and youth service providers.
- ☒ You have the right to make and receive private phone calls, and to send and receive mail without it being opened, unless a judge says someone else can open it.
- ☒ You can have an emancipation bank account. You keep what you earn, unless your case plan says you can't.
- ☒ You have the right to be in a regular school unless your IEP says differently or your guardian thinks it's better for you to be somewhere else.
- ☒ If your placement changes, you get to stay in your old school until the end of the school year. If the Foster Care Liaison decides it's better for you to change schools earlier, you must be told why in writing. If your guardian disagrees, you get to stay in your old school until they work it out.
- ☒ If you change schools, you have the right to start school right away, even if you don't have all of your records or you owe money to your old school. Your grades can't be lowered because you didn't finish the semester.
- ☒ If you have to miss school to go to court, your absence can't be counted against you in your school record.
- ☒ You have the right to go to your court hearings and to speak to the judge yourself.
- ☒ If you are over 12, you have the right to get a copy of your case plan, get information about your placement, and be told about changes in your case plan.

WHAT TO DO

If you have been harassed or discriminated against because of your sexual orientation or gender identity:

1. Write down everything that happened as soon as you can. If there were any witnesses, ask them to write down what they saw. Always keep a copy of this information.
2. Tell your social worker, and give her or him a copy of what you wrote down. Your social worker is responsible for making sure that you are safe in your placement. If your social worker is involved in the discrimination or harassment, tell your social worker's supervisor. You can also call the State Ombudsperson at: 1-877-846-1602. Always write down what happened, who you talked to, what you talked about, including anything the person said to you. Keep this information in case you need to talk to someone else about it.
3. If you need any help or have any questions, call the National Center for Lesbian Rights at 1-800-528-6257. NCLR can help whether you are lesbian, gay, bisexual, transgender, or questioning.

If YOU want to make changes in the California foster care system and you are a current or former foster youth aged 14-24, or you want to be a volunteer supporter, contact:

CALIFORNIA
YOUTH
CONNECTION



www.calyouthconn.org
604 Mission St., 9th Floor
San Francisco, CA 94105
1-800-397-8236

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NCLR

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